

wherein the plurality of modes comprise a shop mode, a bid mode, an interact mode, an entertainment mode, and a link mode;

wherein a specific mode is selected by a user through an expandable graphical user interface bar;

wherein said specific mode further toggles based on time stamps in said digital video or digital audio file;

wherein said hot spots are visualized by outlines, shading, or illumination or a combination of each, at a predetermined area on the display;

wherein said Multifunctional Hot Spot apparatus is made to reside on and is executing on a computing system;

selecting and activating at least one of said predetermined functions by clicking on each particular Multifunctional Hot Spot.

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• **MARCH 20, 2006 ARGUMENT(S) RE-STATED:**

**Addressing Claim Rejections – 35 USC § 112**

- **Independent statements** within the “B O D Y” of the patent application that traverses the 35 USC § 112 rejection.

1.)

-page 3 line 24 – 25 & 24 – 28.

The multifunctional hot spots are preferably delineated by outlines or illumination, as visual cues to alert the user that clicking within the “multifunctional hot spot area will” give them access to additional information, files or locations. This is analogous to a hypertext link being highlighted in an HTML format when the cursor moves over it.

Comments: Audio “H O T S P O T S” can be cued to users utilizing a combination approach such as an audible chime, ring-back, or tune in conjunction with visual cues such as outlines, shading, and/or illumination to alert the user to a combination of notifications, but not limited to 1. looking at the screen or a particular area on the screen, 2. Clicking on or activating the hotspot, and 3. Changing modes...etc.

2.)

-page 6 lines 9 – 14.

The instant invention 10 comprises an interactive software based...respectively, stored on a tangible medium that can add, use change, adapt and process hot spots, such as hyperlinks and other known actions, in video files, audio files, digital files and/or designated areas of a website or webpage so as to provide multifunctional hot spots. The instant invention 10 adds multifunctional hot spots to video and/or audio files or other types of digital files and provides a means for using and modifying the functions of the hot spots.

3.)

-page 6 lines 20 – 31.

The hot spots may be programmed with hyperlinks, JAVA applications and/or other types of applications based code for performing various functions while a user is residing in a video file, audio file or other location within a webpage or website, such as making a bid in a bidding or auction system mode 91, linking to another web page or URL address in a link monde, linking to other videos or audio files in an entertainment mode, placing a digital telephone call in a digital call mode, or transmitting or accessing other types of communications, systems (e-mail, etc.) and information, as shown in Figs. 1A-3. The invention 10 embeds, links or makes available multifunctional hot spots that change modes automatically based on predetermined parameters or user interaction with the menu bar 93 in the video file, audio file or other type digital file or location with the corresponding website or webpage.

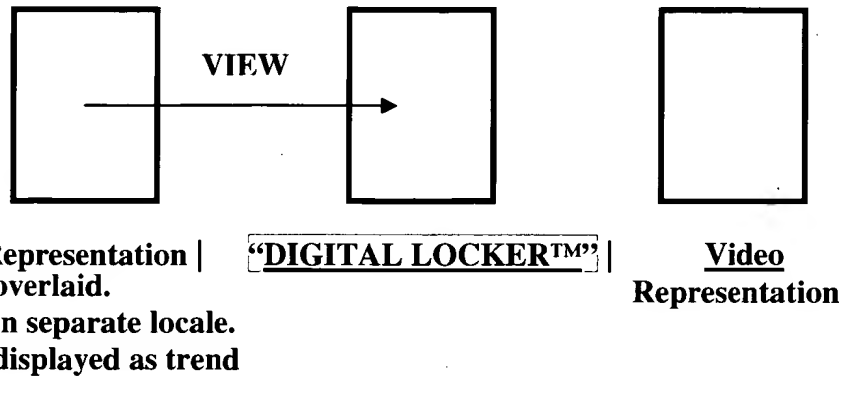
4.)

-page 7 lines 9 – 10

The digital locker mode™ may further facilitate the separation of audio and visual tracks as well as the storage of individual tracks independently.

Comments: A simple representation of such is as followed:

I.



II. There can exist an anticipated link between the Audio and Video OR the two medium may be independently active based on the fact that modes can exist sequentially, all at the same time, or one at a time.

5.)

-page 7 lines 13 – 20

The bid mode may provide a multi-cast communication interface by providing a shared white board, chat rooms, instant messaging, auctions for exchanging product

and production information that is disseminated via video or text, email notification of selected highlights and a view of the user's digital locker™, with the ability to add audio and video from the multi-cast session. The interact mode facilitates interaction between the user and live-streamed internet programs. The user is able to communicate and/or interact with network designated queues by clicking on hot spots in a live audio and/or video streamed file being broadcasted over the internet.

6.)

-page 7 lines 24 -30

In these modes, the user can activate a voice recognition function to activate certain software functions and initiate the multifunctional hot spots in the live streamed audio and/or video file. In the link mode, hot spots in the main audio and video file

are initiated and open web pages, websites or other URL addresses in an adjacent browser or window or in a main playback browser/window. In the entertainment mode, the activation of hot spots causes the opening of related or targeted audio and video and/or video files related to the designated hot spot and an auxiliary browser/window.

7.)

-page 8 lines 3 – 12

The invention 10 may incorporate HTML language or a comparable language for loading documents through a web browser. The HTML document loaded by the web browser may contain a downloadable custom plug-in(s) that implements an algorithm, and/or tags that specify, among other things, the path to a JAVA applet containing the object, source, executable or application code necessary to execute the multifunctional hot spots and currently active function as defined by a predetermined parameter or user input; the path to the video or audio file that the applet will play; and/or the path to a data file that contains variables used to create objects and/or applications having the information needed to identify, define and activate the multifunctional hot spots and their location in designated areas on the screen or in the corresponding digital file.

8.)

-page 10 lines 1 – 6

The software 100 also determines whether the user has selected and activated the digital locker™ mode. If yes, then the software 100 initiates and displays a window containing the contents of the user's digital locker™. The digital locker™ is a storage area hosted on a remote system or database that allows the user to save, retrieve and playback all digital forms of audio and video media. It also facilitates the separation of audio and visual tracks in the storage of each track independently.

9.)

-page 10 lines 12 -16

The software 100 registers areas on the screen or in the video as multi-functional hot spots using a region obtained from the HSDF. The software 100 then loads the

movie/video/audio file and activates and/or draws the menu bar 93 at the bottom of the video play back area or some other designated location. The software 100 then plays the movie/video/audio file.

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- Dependent statements within the "B O D Y" of the patent application that traverses the 35 USC § 112 rejection.

1.)

-page 10 lines 27 – 29

If in the shop mode, then the software 100 will add products referenced by the hot spot to the user's shopping cart.

2.)

-page 11 lines 1 – 3

If the user has selected the entertainment mode, then the software 100 opens a movie/video/audio file whose content is related to the item referenced by the hot spot object as it correlates to the time stamped period in the video or movie.

3.)

-page 11 lines 15 – 26

Consistent therewith, the applet reads the data file, creates and initializes custom defined objects or functions in accordance with the data file and registers areas on the screen as hot spots using a geometric region obtained from the custom defined objects. The applet loads the video or audio file and draws or uploads a menu bar 93 at the top, bottom or other location in or near the video area 90 where the video or audio file is displayed and plays the file. The applet gives a visual cue, such as highlights, illumination, or shading in or around the area of the hotspot(s) for a particular time interval, such as ten (10) seconds, which occurs while the movie is playing, but not necessarily all at the same time. Time stamps may be placed in the

video or audio file or a corresponding routine for monitoring and communicating with the video and hot spot function for activating and deactivating functions based on the progress of the video or audio file in relation to the time stamps.

4.)

-page 12 line 30 & page 13 lines 1 – 6

After the mode or option has been determined, the program checks to see if the video or audio file has reached the end, as described above. The instant invention

has been shown and described herein in what is considered to be the most practical and preferred embodiment. It is recognized, however, that departures may be made therefrom within the scope of the invention and that obvious structural and/or functional modifications will occur to a person skilled in the art.

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- It should be noted that these examples of “audio being represented visually” are supported by references within the affidavit dated 2004 December 17<sup>th</sup> Friday at APP5 & REC1 pg. 1, pg. 2, and pg. 9.

SUCH AS:

APP5 & REC1

-pg. 1

Area Displays summarize the operating condition and trends of the data points that make up the area assigned to the station. Unit Displays summarize the operating condition and trends of the discontinuous and continuous operations in the units (subdivisions of areas) assigned to the current area. Group Displays show values and status for up to 8 data points that form a group, displays trends within the group, or present status and sequence information for process modules.

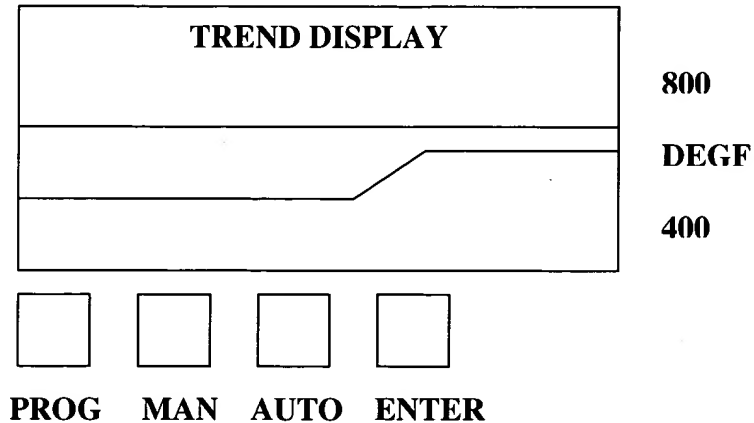
-pg. 2

Both continuous and discontinuous processes can be managed from graphic displays. Basically, any data point parameter or sequence can be monitored and manipulated from any graphic display...

The ability to bring another live display into a designated area within an existing graphic display is another convenient feature available for use on graphic displays.

These process-related displays can include key information such as trends, process curves, batch totals, recipes, averages, operator messages, alarm handling information, and efficiency calculations.

This feature allows the operator to bring up this other process-related data without switching to another graphic. The Trend Display in the illustration at the right is such an overlay and can be deleted by the operator at will.



-pg. 9

...which is a sensor frame that is placed around the face of the CRT and is mounted flush with the enclosure. Finger positioning at any location on the screen causes the cursor to move to that location. If a screen target exists there, "selection" of that target will occur when the finger is withdrawn.

### CONCLUSION

For all the above reasons, Pro Se Applicant "WAKEFIELD" submits the above referenced evidence and amendments so as to traverse the rejections under: 35 U.S.C. § 112, 37 CFR 1.75(c), MPEP § 2173.05(d), 35 U.S.C. § 102. "WAKEFIELD," has AMENDED the claims of his patent application in an effort to traverse the prior art rejections and to correctly limit the scope of his patent as advised by The Examiner Mr. Boris Pesin in his June 06, 2006 Final Action.

### CONDITIONAL REQUEST FOR CONSTRUCTIVE ASSISTANCE.

For all the above reasons, Applicant submits the above referenced EVIDENCE and AMENDMENTS so as to traverse the prior art rejections and those under 35 U.S.C. § 112. Applicant, respectfully request the assistance and suggestions of The Examiner, Boris Pesin, in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings. "WAKEFIELD," believes that he has met the requirements as noted in the June 6, 2006 Detailed Action and as discussed in the June 14, 2006 telephonic conference.

**SPECIAL THANKS**

“WAKEFIELD” recognizes the difficulty in inventing and the difficulty of the patenting process, and would like to take the time to personally thank the following persons for their contributions and efforts in making the cutting edge invention THE CLICKVIDEOSHOP™ (CVSSW™) software patent a reality. “WAKEFIELD” extends special thanks to:

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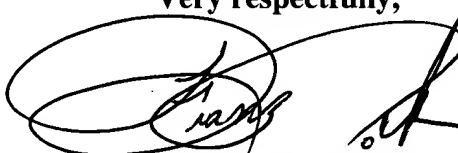
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Very respectfully,



8.01.06

Franz A. Wakefield

-----Applicant *Pro Se*-----

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